
SENATE BILL No. 95

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10.2-2-1.

Synopsis: Local unit participation in PERF. Authorizes a political subdivision that is not a participant in the public employees' retirement fund (PERF) to provide, outside PERF, a system of retirement, disability, and survivor benefits for the public employees of the political subdivision.

Effective: July 1, 2001.

Waterman

January 8, 2001, read first time and referred to Committee on Pensions and Labor.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 95

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10.2-2-1, AS AMENDED BY P.L.119-2000,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 1. Scope; Purpose. (a) This article applies to the
4 Indiana state teachers' retirement fund and the public employees'
5 retirement fund. Each retirement fund covered by this article is a
6 separate retirement fund managed by its board under its retirement
7 fund law. Each board shall make and publish regulations which are
8 appropriate to the efficient administration of this article. The
9 obligations of the state and political subdivisions for benefit payments
10 are specified in each retirement fund law.

11 (b) Each fund is an independent body corporate and politic. A fund
12 is not a department or agency of the state but is an independent
13 instrumentality exercising essential government functions.

14 (c) For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, each
15 board, each fund, and all employees of each board or fund are public
16 employees (as defined in IC 34-6-2-38). All employees of each board
17 or fund employed within a classification covered by a labor agreement



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1 to which the state is a party shall continue to remain subject to the
2 terms and conditions of that agreement and any successor labor
3 agreements entered into by the state.

4 (d) The benefits specified in this article and the benefits from the
5 Social Security Act provide the retirement, disability, and survivor
6 benefits for public employees and teachers. However, this article does
7 not prohibit a political subdivision from establishing and providing
8 ~~before January 1, 1995, and continuing to provide after January 1,~~
9 ~~1995,~~ retirement, disability, and survivor benefits for the public
10 employees of the political subdivision independent of this article if the
11 political subdivision ~~took action before January 1, 1995, and was~~ is not
12 a participant in the public employees' retirement fund. ~~on January 1,~~
13 ~~1995, under this article or IC 5-10.3.~~

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